

**Subparts C-E—[Reserved]**

**Subpart F—Conditions of Participation: Rural Primary Care Hospitals (RPCHs)**

SOURCE: 58 FR 30671, May 26, 1993, unless otherwise noted.

**§ 485.601 Basis and scope.**

(a) *Statutory basis.* This subpart is based on section 1820 of the Act which sets forth the conditions for designating certain hospitals as RPCHs.

(b) *Scope.* This subpart sets forth the conditions that a hospital must meet to be designated as an RPCH.

**§ 485.602 Definitions.**

As used in this subpart, unless the context indicates otherwise:

*Direct services* means services provided by employed staff of the RPCH, not services provided through arrangements or agreements.

[59 FR 45403, Sept. 1, 1994]

**§ 485.603 Rural health network.**

A rural health network is an organization that meets the following specifications:

(a) It includes—

(1) At least one hospital that the State has designated or plans to designate as an RPCH; and

(2) At least one hospital that meets one of the following conditions:

(i) The State has designated or plans to designate the hospital as an EACH under § 412.109(d) of this chapter.

(ii) HCFA has classified the hospital as a referral center under § 412.96 of this chapter.

(iii) The hospital is located in an urban area and meets the criteria for classification as a regional referral center under § 412.96 of this chapter.

(b) The members of the organization have entered into agreements regarding—

(1) Patient referral and transfer;

(2) The development and use of communications systems, including, where feasible, telemetry systems and systems for electronic sharing of patient data; and

(3) The provision of emergency and nonemergency transportation among members.

[58 FR 30671, May 26, 1993, as amended at 60 FR 45850, Sept. 1, 1995]

**§ 485.604 Personnel qualifications.**

Staff that furnish services in an RPCH must meet the applicable requirements of this section.

(a) *Clinical nurse specialist.* A clinical nurse specialist must be a person who performs the services of a clinical nurse specialist as authorized by the State, in accordance with State law or the State regulatory mechanism provided by State law.

(b) *Nurse practitioner.* A nurse practitioner must be a registered professional nurse who is currently licensed to practice in the State, who meets the State's requirements governing the qualification of nurse practitioners, and who meets one of the following conditions:

(1) Is currently certified as a primary care nurse practitioner by the American Nurses' Association or by the National Board of Pediatric Nurse Practitioners and Associates.

(2) Has successfully completed a 1 academic year program that—

(i) Prepares registered nurses to perform an expanded role in the delivery of primary care;

(ii) Includes at least 4 months (in the aggregate) of classroom instruction and a component of supervised clinical practice; and

(iii) Awards a degree, diploma, or certificate to persons who successfully complete the program.

(3) Has successfully completed a formal educational program (for preparing registered nurses to perform an expanded role in the delivery of primary care) that does not meet the requirements of paragraph (a)(2) of this section, and has been performing an expanded role in the delivery of primary care for a total of 12 months during the 18-month period immediately preceding June 25, 1993.

(c) *Physician assistant.* A physician assistant must be a person who meets the applicable State requirements governing the qualifications for assistants to primary care physicians, and who

meets at least one of the following conditions:

(1) Is currently certified by the National Commission on Certification of Physician Assistants to assist primary care physicians.

(2) Has satisfactorily completed a program for preparing physician assistants that—

(i) Was at least one academic year in length;

(ii) Consisted of supervised clinical practice and at least 4 months (in the aggregate) of classroom instruction directed toward preparing students to deliver health care; and

(iii) Was accredited by the American Medical Association's Committee on Allied Health Education and Accreditation.

(3) Has satisfactorily completed a formal educational program (for preparing physician assistants) that does not meet the requirements of paragraph (c)(2) of this section and has been assisting primary care physicians for a total of 12 months during the 18-month period immediately preceding June 25, 1993.

#### § 485.606 Designation of RPCHs.

(a) *Criteria for State designation*—(1) A State that has received a grant under section 1820(a)(1) of the Act may designate as an RPCH any hospital that—

(i) Is located in the State that has received the grant, or is located in an adjoining State and is a member of a rural health network that also includes one or more facilities located in the State that has received the grant;

(ii) Meets the RPCH conditions of participation in this subpart F; and

(iii) Applies to the State that has received the grant for designation as an RPCH.

(2) The State must give preference to hospitals participating in a rural health network, as defined in § 485.603.

(3) The State must not deny any hospital that is otherwise eligible for designation as an RPCH under this paragraph (a) solely because the hospital has entered into an agreement under which the hospital may provide posthospital SNF care as described in § 482.66 of this chapter.

(b) *Criteria for HCFA designation*—(1) HCFA designates a hospital as an

RPCH if the hospital is designated as an RPCH by the State in which it is located or by an adjoining State that has received a grant.

(2) HCFA may designate a hospital as an RPCH if the hospital is not eligible for State designation and meets all the requirements in paragraph (c)(2) of this section.

(3) HCFA may also designate not more than 15 hospitals as RPCHs if the hospitals are not located in States that have received grants under section 1820(a)(1) of the Act and meet the requirements of paragraph (c)(1) of this section.

(c) *Special rule: Hospitals not designated by a State as RPCHs*—(1) HCFA may designate not more than 15 hospitals as RPCHs under this paragraph (c)(1). These hospitals must be located in a State that has not received a grant under section 1820(a)(1) of the Act, must not have been designated as RPCHs by a State that has received a grant under paragraph (a)(1) of this section, and must meet the requirements with regard to location, participation in the Medicare program, and emergency services as defined in §§ 485.610, 485.612, and 485.618, respectively. In designating a hospital as an RPCH under this paragraph (c)(1), HCFA—

(i) Gives preference to a hospital that has entered into an agreement with a rural health network as defined in § 485.603 that is located in a State that has received a grant under section 1820(a)(1) of the Act; and

(ii) Does not deny this designation to a hospital that otherwise is eligible for this designation, solely because the hospital has entered into an agreement as described in § 482.66 of this chapter under which the hospital provides posthospital SNF care.

(2) HCFA may designate a hospital as an RPCH if the hospital is located in a State that has received a grant under section 1820(a)(1) of the Act and is not eligible for State designation under paragraph (a) of this section solely because the hospital—

(i) Has not ceased, or agreed to cease, providing inpatient care services, as described in § 485.614;

(ii) Has more than six inpatient beds or does not maintain an average length